

SNELL & WILMER L.L.P.
Alan L. Sullivan (3152)
Todd M. Shaughnessy (6651)
Amy F. Sorenson (8947)
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1004
Telephone: (801) 257-1900
Facsimile: (801) 257-1800

CRAVATH, SWAINE & MOORE LLP
Evan R. Chesler (admitted pro hac vice)
David R. Marriott (7572)
Worldwide Plaza
825 Eighth Avenue
New York, New York 10019
Telephone: (212) 474-1000
Facsimile: (212) 474-3700

*Attorneys for Defendant/Counterclaim-Plaintiff
International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant/Counterclaim-Plaintiff.

[PROPOSED] ORDER

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon the stipulation of the parties, and good cause appearing,

IT IS HEREBY ORDERED as follows:

All remaining deadlines set forth in the Court's Order dated July 1, 2005 are hereby vacated;

Both parties' responses to all outstanding requests for admission shall be due on March 30, 2007;

Rule 26(a)(3) Disclosures shall be due on April 12, 2007;

Deadline for Exchanging Jury Instructions shall be April 27, 2007;

Motions in Limine shall be due on May 4, 2007;

Final Pretrial Order shall be due 45 days before trial;

Special Attorney Conference and Settlement Conference shall be due 30 days before trial;
and

Approximately six weeks prior to trial, the Court will send to the parties a Trial Order setting further deadlines for the case.

DATED this ____ day of January, 2007.

BY THE COURT

Dale A. Kimball
United States District Court Judge

APPROVED AS TO FORM:

HATCH, JAMES & DODGE, P.C.

Brent O. Hatch

Mark F. James

BOIES, SCHILLER & FLEXNER LLP

Edward Normand

 /s/ Edward Normand
Counsel for Plaintiff
(e-filed with authorization from counsel)

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of January, 2007, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

Brent O. Hatch
Mark F. James
HATCH, JAMES & DODGE, P.C.
10 West Broadway, Suite 400
Salt Lake City, Utah 84101

Stephen N. Zack
Mark J. Heise
BOIES, SCHILLER & FLEXNER LLP
100 Southeast Second Street, Suite 2800
Miami, Florida 33131

_____/s/ Todd M. Shaughnessy_____